registered holdings adjoining the river, in order to prevent their being washed away by floods, and not at the exact places where the measurements ended. Only portions in excess of the extent of the registered area should therefore be considered as accretions. He requested that orders should issue to consider the measurement in addition to the level of the lands and the age of the trees.

(2) In some cases, trees which had been included in the pattas and already assessed were again being counted and taxed. Only unregistered lands were recorded as *porambоke* at the settlement and the trees on such lands were included in the *thanathuchitta*. In the case of the lands on the sides of the Neyyar river, no such account had been taken. It was in the land records maintenance that the lands were, for the first time, being treated as *porambokes*. That would be clear from the mahazars prepared by the local officers. Neither the surveyors who made the measurements nor the classifiers who counted the trees ever dreamt that any of the areas now treated as *porambokes* were really so. If so, there would have been some record to that effect.

(3) The Revenue officers were enumerating all new trees and trees that would soon cease to bear and charging assessment and back arrears. The arrears in many cases amounted to the price of the lands. The G. O. did not lay down what kind of trees should be taxed, and at what rate, and in consequence, *all* trees were being taxed. The above points required to be made clear to the local officers.

(4) There were several channels in Ottasekaramangalam, Perunkadavila and other places, besides the Neyyar. The G. O. should be made applicable to them as well.

(5) The G. O. was being interpreted to mean that it would affect only the *porambоke* cases pending disposal at the time of its issue. Many cases had been disposed of and others were in different stages of pendency. The G. O. should be given retrospective effect, so as to apply to all *porambоke* cases in the taluk.

(6) The trees on the bunds of paddy lands &c., registered in the names of ryots, could not be protected owing to the neglected condition of the bunds, which were treated as *porambokes*. The bunds should either be registered in the names of the ryots or arrangements made to maintain them in good condition.

(7) In the cases of all *porambokes* other than road-porambokes, action should first be taken under the Land Conservancy Regulation against the occupants, before launching criminal prosecutions, as was being done at present. Many of the so-called *porambokes* had been long in the enjoyment of the ryots, with costly buildings thereon and none of them had been acquired by the Government on payment of compensation.

Dewan's reply.—The representations of the Member will be referred to the Peishkar of the Division, for remarks, with reference to G. O. No. 341/L. R. and F., dated the 23rd December 1913.

5. The need for adopting a more beneficent policy in respect of land and land-revenue.

Mr. N. Padmanabha Pillai (Member, Karunagappalli taluk) said that he would deal with the subject under four heads. The first point had reference to the registry of *puthuvals* (waste lands) in the names of Europeans and other foreign capitalists. At the outset, the Member said that he was dealing with the question with some feelings of delicacy and he requested that he should not be misunderstood. The people were very grateful to the British Government for the maintenance of law and order and for the prosperity the State enjoyed under British rule. But his justification for bringing forward the subject was that it was one of considerable importance in safeguarding the interests of the State and its population.

According to the last Census Report, as much as 66 per cent of the total population were agriculturists and the rest were also, in some way or other, dependent

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on them. There was no other trade or industry worthy of the name which the people could develop, and, judging from the habits and tendency of the people, any development in that respect in the near future was not likely or possible. Agriculture was thus the mainstay of the people and their future wholly depended on the scope for agriculture in the State. The Department of Agriculture, recently started, was no doubt doing considerable good, and the people were very grateful to the Government for it. But, as the population was steadily increasing and as there was a limit to the productivity of the existing lands, it was not possible to make the country rich merely by intensive cultivation. What they could do was extensive cultivation, and, for that purpose, they required lands. Quoting the Census Report again, he said that, out of the total population of 34,28,975, only 12,55,275 were holders of land. That would give only 1·41 acres of land per head. According to the Settlement Report, the extent of cultivable area in the whole State was 1,082 square miles, and if that area were divided among the 21 lacs of the population who did not now own any land, it worked out to only 31 cents per head. Under such circumstances, it was not proper that the few available lands should be assigned away, either permanently or temporarily, to non-Travancoreans. The Member said that he had not the figures to show the total area hitherto registered and the extent registered from year to year, in their names. The statistics could not be obtained without the help of the Government. But he felt sure that it would not be disputed that large areas *were* being so registered annually. From the figures he could obtain, he understood that, within the last 6 or 7 years, nearly 4,000 acres were so registered in the taluks of Kottarakara, Pathanapuram, Shencotta and Chengannur, of which about 1,000 acres were registered to Europeans. In the Peermade taluk, the area already registered and surveyed for registry in the names of non-Travancoreans measured 28 square miles, and out of that area, all except 6 square miles was in favor of Europeans. The Member had no doubt that the same was the case, more or less, in the other taluks also. It might be argued that the natives were not coming forward to get the available lands registered or that there should be European planters in the country, who were more civilised and enterprising, to teach by example the scientific methods of cultivation to the natives. But that was not the truth. A very large number of applications from the natives was pending disposal in every taluk. To quote only one instance, the number of such pending applications in the Peermade taluk was approximately 1,200, 1,500, 5,800 in 1087, 1088 and 1089 respectively; and while they were all lying unattended to, the few applications of the non-Travancoreans, not numbering more than 10, had been hunted up and the lands were being vigorously surveyed for registry in their names. Many instances could be cited of lands occupied and improved by the natives being registered to non-Travancoreans, in utter disregard of their (natives) applications or right and without paying them the value of their improvements. With a view to shut out competition from the natives, the *tharavila* was being raised on the lands proposed to be assigned away to non-Travancoreans. It was true that the latter were prepared to pay a higher *tharavila* for the lands. But the policy of the Government should be to safeguard the interests of its subjects, and in the present condition of agriculture in the State, there was no necessity for the Government to look to any *immediate* increase of land revenue, if only any action taken in that direction would, in the future, tend to prejudicially affect the welfare and interests of the subjects.

Dewan.—I suppose you are aware that orders have been issued to give preference to applicants from Travancore?

Member.—Orders have been issued, but they are not being given effect to.

Dewan.—Do you propose that the rates of *tharavila* should be lower in the case of the natives of Travancore, or do you propose that no lands should be registered at all to non-Travancoreans?

Member.—I do not ask for a lower *tharavila*. If at all possible, my proposal is that no lands should be registered to outsiders.

The Member, continuing, said that the policy should not be to register large areas in the names of single individuals, but it should be the other way. He added

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that, in England, the Government were taking back lands from large proprietors and parcelling them out to the poor land-less people.

There was another possible evil in the present policy of hasty registry of *puthuvals*. Such registries were now bringing a large revenue to the Government in the shape of *tharavila*, arrears of assessment, tree-value, &c. from year to year. The budget of yearly expenditure was regulated according to the increased receipts, including therein that *fluctuating* revenue. In course of time, that revenue would disappear, while the increased expenditure would remain. The Member feared that, with a view to regulate the receipts according to the expenditure, the continuance of the present policy might necessitate, in the future, the imposition of new taxes on the people.

He next referred, in appreciative terms, to the good work done by planters in opening up the country, in introducing improved and scientific methods of agriculture, and in otherwise setting excellent examples of enterprise and self-help. But the permanent interests at stake were large and required urgent consideration. The people had no objection to the Europeans also getting lands in the State. But, if equal facilities were afforded to both in the matter of the registry of lands, he feared that, in the long run, the natives of the State would be entirely dependent upon the foreigners, because, in the struggle for existence, the natives would be quite unable to compete with the Europeans, who were in every way ahead of them. The non-Travancoreans were in possession of vast areas of land already, and, to safeguard the interests of the subjects of the State, it was high time that there should be a rule that no more lands should be registered to non-Travancoreans.

(2) The second point was about the policy pursued by the Government in the matter of the acquisition of lands in the State by Europeans and Americans. There was an arrangement from a long time past under which Europeans and Americans living in the State could acquire landed property only with the previous sanction of the Government. Later on, in 1065 M. E., a similar provision was inserted in para 23 of the rules relating to the transfer of registry of lands. A notice to that effect used to be published every year in the Government Almanac and Directory until 1908. In June 1908, that rule was abrogated by a mere notice.

Dewan.—That rule was of no value. The High Court have repeatedly held that executive orders, not based on any statute, are of no value.

The Member said that, whatever might be the *legal* value of the rule, its retention was a protection and its abrogation acted detrimentally to the interests of the people. He then compared the number of Europeans and Americans that settled down in the country from 1900 to 1914, and argued that, while the increase was only from 110 in 1900 to 157 in 1908, the figure rose to 330 in 1914. The number of documents conveying lands to non-Travancoreans had also considerably increased since 1908. As much as 300 square miles of land had till now been registered to outsiders, and if a proper rule was not passed, more lands would pass into their hands and the people of the country would be impoverished to that extent. Another evil was that the natives were freely and thoughtlessly alienating their lands in favor of the Europeans, because the latter offered fabulous prices, which blinded their eyes. They were unable to look far ahead, and the Member said it was therefore necessary that the paternal Government should step in and lend a helping hand by enforcing a timely check.

Dewan.—Do you propose to enact a law prohibiting the alienation, by Travancoreans, of their landed properties in favor of non-Travancoreans?

Member.—That is what I propose.

Dewan.—Do you propose to distinguish between Europeans and Americans on the one hand, and non-Travancoreans, who are natives of India, on the other?

Member.—I would prohibit alienations to *any* non-Travancorean.

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The Member therefore requested that the Government should hold out facilities to the Travancoreans both for retaining the lands they possessed and also for acquiring more lands.

(3) The third point was about the policy of the Government in regard to land assessment and *tharavila* or acreage value. In the Royal Proclamation of 1061, the Government recognised that the holders of land were the absolute proprietors and that the right of the Government thereon was only to recover a fixed amount as assessment. Recently, a change had taken place in that policy, and in the matter of assigning away the waste lands, *porambokes* &c., the Government was descending to the level of a Jenmi and was recovering the maximum amount possible from the lands in the shape of *tharavila*, timber-value, assessment &c. It was not proper that the Government should adopt such a policy. The rate of *tharavila* was originally one rupee per acre. Dewan Mr. V. P. Madhava Row altered it and ruled that it should vary in accordance with the fertility of the soil, but he took care to lay down that such *tharavila* should in no case exceed five times the assessment on the land. On the 9th May 1909, the rate was changed and a minimum *tharavila* of Rs. 25 per acre was fixed for *kayal porambokes*. That rate was, later on, made applicable to canal and river *porambokes* by G. O., dated the 11th June 1910. On the 29th July 1910, the minimum *tharavila* was raised to Rs. 100 per acre in the case of *puthuvals* within the limits of towns under the Towns Conservancy and Improvement Regulation. For lands not coming under any of the above categories, the *tharavila* was Rs. 3 per acre. But that was raised to Rs. 15 per acre in some of the *pakuthies* of the Chengannur, Thiruvalla and Peermade taluks by G. O., dated the 24th December 1913. Another proceedings had recently been issued similarly raising the *tharavila* in the Nedumangad taluk. Similar orders had also been issued enhancing the assessment. A minimum assessment of 5 fanams was fixed for garden lands by G. O., dated the 8th April 1911. That was raised to 35 fanams in the T. I. C. towns on the 17th March 1912. By a later G. O., dated the 24th December 1913, the assessment was raised to 7 fanams per acre in some *pakuthies* of the Chengannur, Thiruvalla and Peermade taluks. In the above decisions, what was fixed was the *minimum*; but, in practice, much higher rates were actually realised. In many instances, the rate of *tharavila* went up to Rs. 1,000 per acre. In the cases of *porambokes* transferred to the head of assessed waste and registered, the rates were oppressive. Those rates were being fixed arbitrarily and without any regard to the productivity of the soil and the rights of the occupants. In regard to such *porambokes*, the high rates were being fixed by the Government itself in the orders sanctioning the transfer of the lands to assessed waste, without any inspection of the lands and without also consulting the officers on the spot. From the standpoint of the Government, the minimum rate was all right; but, in the interests of the ryots, what was required was to fix a *maximum*, and not a minimum.

Dewan.—I may mention that, except in regard to the Vembanad lake, it is not the policy of the Government to encourage reclamations from waterways. The heavy *tharavila* in the case of the *kayals* is advisedly charged with a view to discourage reclamations as much as possible. Even in the case of the Vembanad *Kayal*, it is only the areas that have already been reclaimed that are being registered. In regard to the *porambokes* also, a man may unauthorisedly squat upon, say, a road, and build there, and it might not be possible to evict him without dismantling a costly building. It is in such cases that a heavy *tharavila* is levied. The idea is that it should act as a deterrent punishment. It is not, as you imagine, solely a question of revenue to the Government.

The Member went on to say that, in the Karunagappalli taluk, there were several lands recorded at the settlement as *kavu porambokes*. In many instances, they were ayacut registries or excesses over them. With a view not to let those places of worship pass into other hands, the owners often agreed to pay up the *tharavila* and get them registered. In sanctioning the transfer of such lands to assessed waste, however, a prohibitive rate of *tharavila* was often fixed ; and if the owners refused to pay such *tharavila*, they were being threatened by the Division Peishkar with prosecution under the Poramboke Regulation. The procedure was

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very unjust and hard. Further, the trees on such lands were of no value to the owners, as they would not be cut. Tariff rates were now charged on the timber. That was also hard, as they included the transport charges, which the occupant could not be called upon to pay.

The Member next referred to another hardship. When the paddy tax was commuted into money, the new commutation rate of 11 chs. per para was charged only on that portion ($\frac{1}{4}$) of the land-tax which was being actually paid in paddy, the balance ($\frac{3}{4}$) being recovered at the old *vilatharam* of 6 chs. per para. In the case of the lands registered as *puthuvals*, the *entire* assessment was being commuted into money at 11 chs. per para of paddy. That was also not an equitable treatment. He further pointed out that the raising of the assessment on waste lands beyond the *haram* fixed at the Settlement was against the spirit of the Royal Proclamation of the 14th Kumbhom 1061. On the above grounds, the Member represented that the policy followed by the Government in dealing with *tharavila* and land assessment required to be changed and he pleaded that there should be some settled arrangement in regard to the *tharavila* and assessment.

(4) The Member said that his last point was in regard to the policy pursued in the expenditure of land-revenue. As already submitted, agriculture was the mainstay of the people. In addition to land-revenue proper, the real agriculturists contributed, directly or indirectly, a fair portion—as much as three-fourths, if not the whole—to the other sources of revenue, such as excise revenue, stamp revenue, registration revenue, civil courts revenue and forest revenue. That being so, it was the duty of any civilised Government to apportion annually a fair allotment for the development of agriculture and such industries as would thrive in the country. That policy was being followed in other countries. He then quoted the following figures as showing the average expenditure on agriculture in other countries per thousand of population, *viz.* India, £ 1; United Kingdom, £ 4·6; France and Hungary, £ 27; United States and Canada, £ 36; Prussia, £ 62·5; Austria, £ 86·5; and Queensland, £ 92·5. The above figures would clearly show that, excepting India, all other countries were spending very large amounts for the development of agriculture, that *industrial* countries such as the United Kingdom and France were also expending decent amounts for the same purpose, and that, even in India, at least £ 1 per 1,000 of population was being spent annually. He regretted that, in Travancore, practically nothing was being expended. The expenditure on the Kodayar Project was, in the opinion of the Member, only an investment. There remained only the annual expenditure of about Rs. 60,000 on the recently created Agricultural Department. That was certainly something; but mere diffusion of scientific knowledge was not all that was needed by the agriculturists. They stood in need of water in season; and for that, they had to look to the existing irrigation sources; and new irrigation works were also necessary in every taluk. Speaking from his experience of the taluks in Central Travancore, he said that agriculture now suffered from drought in the hot weather and from too much of water during the monsoons. At present, the Government were not doing any irrigation works, and what was worse, the existing irrigation tanks and other water-sources were utterly neglected. Many of them were encroached upon and occupied by neighbouring land-owners and some had been assigned away by the Revenue and Settlement Departments. The reason for the deplorable state of affairs was the absence of any responsible department or officer to look into that important matter. The irrigation works were now classed under 'Major' and 'Minor' and entrusted to the Public Works and Revenue Departments respectively. The former had no love for agriculture and they spent the entire allotments on 'Communications'. The Member cited the instance of the Prayikara canal as proof of such utter disregard on their part. The Revenue officers, with their multifarious duties, could not also do justice to that item of work. It was also impossible to ventilate all the irrigation requirements of the people in the Assembly from time to time and secure adequate redress. A separate officer or department was therefore a desideratum. In the present condition of things, the Member thought that the Director of Agriculture would be the proper officer to whom the work could be safely entrusted. He suggested that, at the outset, it would be enough if all the *minor* irrigation works were made over to his care and control. A professional officer, such as an Irrigation

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Overseer, would of course have to be appointed under the Director. The present policy of merging the land-revenue with the general revenue and allotting a nominal amount from the latter in the General Budget for irrigation works should be discontinued, and a fair percentage of the total land-revenue should be set apart in the Budget for the above purpose every year and expended in consultation with the Director of Agriculture.

In conclusion, the Member requested that the matters mentioned by him might receive the early and sympathetic consideration of the Government.

Dewan's reply.—Noted.

6. The necessity for changing the policy of the Government in regard to the registry of Puthuvals.

Mr. Ebrahim Sait Joosa Sait (Member, Chirayinkil taluk) observed that the recent orders of Government in the matter of the registry of waste lands were causing very great hardship to the people of the State. The Member was not prepared to say that it was wrong policy to raise the rate of *tharavila* proportionately to the rise in the price of land caused by the growth of population. But lands were being freely registered to non-Travancoreans, and in doing so, the claims and rights of the subjects of the State were not receiving due consideration. A continuance of such a policy did not present a bright outlook for the future and that was causing much fear and anxiety in the minds of the people. At present, in the place of the fixed rate of *tharavila*, minimum rates were fixed, and the discretion to fix the *tharavila* in individual cases was given to the Dewan Peishkar and the Tahsildar. In the present condition of the work which was expected of a Tahsildar, the power was really exercised by the lower Revenue subordinates such as the Proverthicar and Proverthy Accountant, and, in their hands, it acted as a weapon of considerable mischief. It was enough to say that the ryot, in many instances, paid as *tharavila* much more than the price which the lands would fetch. He requested therefore that a fixed *tharavila* should be prescribed in the case of the subjects of the State and that the same should be recovered in six or seven yearly instalments. He also suggested that the power to dispose of *puthuval* cases should be vested in the Tahsildars as in British India. Lastly, the Member said that there were extensive areas suitable for paddy cultivation inside the Reserves, without any tree-growth thereon. He requested that such areas should be registered in the names of the ryots.

Dewan's reply.—Noted.

7. Grievances of the agricultural ryots of the Peermade taluk and suggestions for remedying them.

Mr. R. Krishna Panicker (Member, Peermade taluk) dwelt at length on the difficulties of *cherikal* cultivation and said that, unlike other wet lands, any profit could be had from them only once in six years or so. Prior to the G. O. of the 10th Meenom 1082 on the settlement of *cherikals*, only *malavaram* or *vilameladi* tax was recovered by the Government from those lands. The recent orders of the Government suddenly enhancing the tax, *tharavila* &c., on the *puthuval* –*cherikal* lands in the taluk operated as a serious obstacle to the extension of cultivation by the natives of the State. The ryots were not only not able to go in for new lands, but they were also unable to retain the lands in their possession, paying the heavy assessment. Already large areas had been registered to foreigners, and with the high *tharavila* of Rs. 25 and assessment of 15 fanams per acre, the ryots of the State had necessarily to draw back in the keen competition for lands. In view to avoid a crisis in the future, the Member submitted the following suggestions for consideration:—

(1) The Government should not prohibit *cherikal* cultivation but should encourage it and afford facilities therefor.

(2) The *tharavila* should be so regulated as not to exceed three times the assessment in any case.

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